

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

WENDEL CRAVENS,

Plaintiff,

v.

TDCJ,

Defendant.

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CIVIL ACTION H-13-1049


ORDER OF DISMISSAL

On April 16, 2013, the Court ordered plaintiff to file a signed, amended complaint in this *pro se* state inmate section 1983 lawsuit, disclosing the date of the incident, whether he exhausted his prison administrative remedies, and the relief being requested. The Court ordered plaintiff to file the amended complaint by May 7, 2013, and warned plaintiff that his failure to comply timely and fully with the order would result in dismissal of his lawsuit for failure to prosecute.

To-date, plaintiff has failed to comply, or request additional time to comply, with the Court's order. The Court finds that plaintiff's failure to comply reflects his lack of due diligence in prosecuting this case. *See Martinez v. Johnson*, 104 F.3d 769 (5th Cir. 1997) (affirming dismissal for want of prosecution based on inmate's failure to respond to a summary judgment motion as ordered by the district court).

Accordingly, this case is DISMISSED WITHOUT PREJUDICE for want of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and for failure to comply with the Court's order. Any and all pending motions are DENIED AS MOOT.

Signed at Houston, Texas on May 21, 2013.



Gray H. Miller
United States District Judge